

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re:

No. C-09-4195 MMC

KIDS CONNECTION, INC.,  
Appellant.

**ORDER DENYING APPELLANT'S  
MOTION FOR STAY PENDING APPEAL**

Before the Court is appellant Kids Connection, Inc.'s Motion for Stay Pending Appeal, filed September 18, 2009. The matter came on regularly for hearing on September 30, 2009. Scott Goodsell appeared on behalf of Kids Connection, Inc., and John Howard appeared on behalf of appellee Burlingame Capital Partners II LP.

Having considered the papers filed in support of and in opposition to the motion, including the supplemental brief filed by each party with leave of Court,<sup>1</sup> as well as the arguments of counsel, the Court, for the reasons stated on the record at the hearing,<sup>2</sup> hereby DENIES the motion.

**IT IS SO ORDERED.**

Dated: October 9, 2009

  
MAXINE M. CHESNEY  
United States District Judge

<sup>1</sup> Appellee's Request for Judicial Notice, filed in connection with its supplemental brief, is granted.

<sup>2</sup> Additionally, to the extent the Court has the authority, under Rule 9014, to order a Rule 62 stay in a contested matter, the Court, for the reasons expressed on the record with respect to a stay under Rule 8005, declines to do so.